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4 UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

5 KENNETH R. EVANS, an individual,  
6  
7 Plaintiff,

8 v.

9 SHELLPOINT MORTGAGE  
SERVICES aka NEWREZ, LLC, a  
Delaware corporation; MTC  
10 FINANCIAL, dba TRUSTEE CORPS,  
a California Corporation; and THE  
11 BANK OF NEW YORK MELLON  
FKA THE BANK OF NEW YORK  
12 AS TRUSTEE FOR THE  
CERTIFICATEHOLDERS CWABS,  
13 INC., ASSET-BACKED  
CERTIFICATES, SERIES 2006-21,  
14  
15 Defendants.

Case No: 2:19-CV-0288-TOR

ORDER GRANTING STIPULATED  
MOTION FOR INJUNCTION

16 BEFORE THE COURT is Plaintiff Kenneth R. Evans' Motion for  
17 Preliminary Injunction of Trustee's Sale (ECF No. 8) and the Parties (Construed)  
18 Stipulated Motion For Injunction (ECF No. 14). The Parties' Stipulated Motion  
19 (ECF No. 8) supersedes Plaintiff's Motion (ECF No. 14). Plaintiff's Motion is  
20

1 accordingly **denied as moot**. Pursuant to the Parties' stipulation, the (Proposed)  
2 Stipulated Order of Injunction (ECF No. 14) is **approved**.

3 **ACCORDINGLY, IT IS HEREBY ORDERED:**

- 4 1. Plaintiff Kenneth R. Evans' Motion for Preliminary Injunction of  
5 Trustee's Sale (ECF No. 8) is **DENIED as moot**.
- 6 2. The Parties (Construed) Stipulated Motion For Injunction (ECF No. 14)  
7 is **GRANTED**.
- 8 3. Defendants are **ENJOINED** from holding the trustee's foreclosure sale  
9 currently scheduled for December 13, 2019, or otherwise pursuing a  
10 trustee's foreclosure sale, until further order of the Court.
- 11 4. Plaintiff shall pay **\$3,805.92** per month into the registry of the Court  
12 during the pendency of this action. The first installment is due upon  
13 entry of this Order and each subsequent payment is due on the 6th day  
14 of each month hereafter (*see* RCW 61.24.130(1)(a)).
- 15 5. Plaintiff shall submit such payments in the form of checks made payable  
16 to the United States District Court Clerk with Case No. 2:19-CV-0288-  
17 TOR noted on the payment and mailed or delivered to:

18 Clerk of Court  
19 United States District Court Attn: Finance  
20 P.O. Box 1493  
Spokane, Washington 99210

6. The Clerk of Court is directed to deposit the funds in an interest bearing account pending further order of the Court. When the funds are eventually withdrawn and disbursed, the Clerk of Court is directed, without further order of this Court, to deduct from the income earned on the deposit a fee, as set by the Director of the Administrative Office and authorized by the Judicial Conference of the United States, 28 U.S.C. § 1914. LCivR 67(b)(3).

The District Court Executive is directed to enter this Order and provide copies to counsel and the Court's Financial Administrator.

DATED December 6, 2019.



Thomas A Rice

THOMAS O. RICE  
Chief United States District Judge